

# STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION  
302 W. WASHINGTON STREET, SUITE E-306  
INDIANAPOLIS, INDIANA 46204-2764

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IN THE MATTER OF THE PETITION )  
OF ACN COMMUNICATION SERVICES INC. )  
FOR A CERTIFICATE OF TERRITORIAL )  
AUTHORITY TO PROVIDE FACILITIES- )  
BASED AND RESOLD LOCAL EXCHANGE )  
TELECOMMUNICATIONS SERVICES )  
INCLUDING CALLER ID SERVICES )  
THROUGHOUT THE STATE OF INDIANA )  
AND FOR AN ORDER REQUESTING THE )  
COMMISSION TO DECLINE TO EXERCISE ITS )  
JURISDICTION PURSUANT TO I.C. 8-1-2.6 )

**FILED**

JUL 08 2004

INDIANA UTILITY  
REGULATORY COMMISSION

CAUSE NO. 42479

You are hereby notified that on this date, the Indiana Utility Regulatory Commission ("Commission") has caused the following entry to be made:

On July 2, 2003, ACN Communication Services, Inc. ("Petitioner") filed its Petition with the Indiana Utility Regulatory Commission ("Commission"), requesting the Commission issue a Certificate of Territorial Authority to provide facilities-based and resold local exchange services to the public within the State of Indiana, including Caller ID services, and for an Order by the Commission declining to exercise its jurisdiction in whole or in part, to the fullest extent allowed by law, under I.C. 8-1-2.6. After a number of continuances, the evidentiary hearing was held on Thursday, April 1, 2004, at 9:30 a.m., in Room E306 of the Commission. On June 9, 2004, the Commission entered an order denying the requested relief. On June 29, 2004, Petitioner filed its *Verified Petition for Rehearing and/or Reconsideration*.

The Presiding Officer, having read Petitioner's Petition and being duly advised in the premises, hereby holds as follows:

Pursuant to 170 I.A.C. 1-1.1-22(e)(3)(C), a hearing will be held on Monday, August 9, 2004, at 9:30 a.m. in Room E306 of the Commission, to reopen the record and receive such additional evidence as may be proffered by Petitioner in support of its Petition.

**IT IS SO ORDERED.**

*Lorraine Hitz-Bradley*  
Lorraine Hitz-Bradley, Administrative Law Judge  
*July 8, 2004*  
Date  
*Nancy E. Manley*  
Nancy E. Manley, Secretary to the Commission